

Zoning Text Amendment No: 06-18
Concerning: PRC Development Standards
Draft No. & Date: 1 – 6/6/06
Introduced: 6/13/06
Public Hearing: July 18, 2006; 1:30 p.m.
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Knapp

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- amending the purpose provision and development standards to allow development to occur on smaller tract areas. While the minimum tract area was previously reduced from 750 acres to 25 acres, the purpose clause and the other development standards were not adjusted to allow development to occur on smaller tract areas;
- allowing all uses permitted in the I-4 zone provided such uses are located within 3,000 feet of an airport and are shown on a development plan approved by the District Council pursuant to Division 59-D-1; and
- generally amend the PRC zone.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-7	“PLANNED UNIT DEVELOPMENT ZONES”
Section 59-C-7.41	“Purpose”
Section 59-C-7.422	“Permitted uses”
Section 59-C-7.44	“Age of residents and residential densities”
Section 59-C-7.441	“Age-restricted section”
Section 59-C-7.46	“Coverage limitations”
Section 59-C-7.462	“Green area”
Section 59-C-7.47	“Height of buildings”

EXPLANATION:

Boldface indicates a heading or a defined term.
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * ** indicates existing law unaffected by the text amendment.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59-C-7 is amended as follows:

Sec. 59-C-7. PLANNED UNIT DEVELOPMENT ZONES.

* * *

59-C-7.4. Planned retirement community zone.

59-C-7.41. Purpose.

The purpose and intent of the P-R-C zone is to provide for the establishment of a planned retirement community type of development, accessible to or providing within it most of the day-to-day recreational, medical, retail, commercial and similar services required by the residents thereof, in accordance with the comprehensive development plan approved by the [p] Planning [b] Board and so designed as to achieve a maximum of coordination between the development and the surrounding uses, including a maximum of safety, convenience and amenity for the residents of the development. Such developments shall be limited to areas which have adequate [highway] access, public water and sewer, and [shall provide the area of land required to furnish the development with necessary] availability of public services [including school sites if needed]. They shall be so designed as to have a minimum of impact upon surrounding land and to provide adequate open spaces adjacent to their boundaries.

* * *

59-C-7.422. Permitted uses. The following uses are also permitted:

* * *

Hospital.

Life care facility.

Nursing home or similar convalescent facility.

Recreational, educational and cultural facilities not otherwise required by this section which are not inconsistent with the purposes of this zone.

Public utility buildings and structures.

Rooftop mounted antennas and related unmanned equipment building,

equipment cabinets, or equipment room may be installed under the guidelines contained in Sec. 59-A-6.14.

All uses permitted in the I-4 Zone provided such uses are located within 3,000 feet of an airport and are shown on a development plan approved by the District Council pursuant to Division 59-D-1.

Temporary helistop.

Any transitory use in accordance with Section 59-A-6.13.

* * *

59-C-7.44. Age of residents and residential densities.

A planned retirement community of [750] 25 acres or more may include a section in which (a) there is no restriction upon the age of residents, (b) the facilities listed in section 59-C-7.421 are not required and (c) land must be dedicated for public school sites.

59-C-7.441. Age-restricted section. An area containing not less than 60 percent of the total number of dwelling units must be restricted to permanent residents 50 years of age or over, except, that a disabled relative may reside with a permanent resident. In addition, residence must be regulated in accordance with the provisions of the Fair Housing Amendments Act of 1988, as may be subsequently amended. The number of dwelling units in that part of the planned retirement community shall not exceed 10 per acre of land constituting the age-restricted section, including the retail commercial center, industrial, and the associated off-street parking, except as further provided in section 59-C-7.443.

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59-C-7.46. Coverage limitations.

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59-C-7.462. Green area.

(a) For development of 750 acres or more, [N] not less than 65 percent of the gross area shall be devoted to green area.

(b) For development of less than 750 acres, not less than 50 percent of the gross area shall be devoted to green area.

59-C-7.47. Height of buildings.

(a) No building except a church tower may exceed [100] 135 feet in height.

(b) [At least 65 percent of the total number of dwelling units must be contained in buildings not more than 35 feet in height.]

[(c)] No residential building over 39 feet in height may be located within [500] 100 feet of any boundary line of the planned retirement community.

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Sec. 2. Effective date. This ordinance takes effect 20 days after the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council